

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 28th DAY OF NOVEMBER, 2011 AT 6:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Vice Chair
	Mary W. Biggs	-Supervisors
	Doug Marrs	
	Annette S. Perkins	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Steve Sandy	-Planning Director
	Ruth L. Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	James D. Politis	-Chair
	Gary D. Creed	-Supervisors
	John A. Muffo	

CALL TO ORDER

The Vice-Chair called the meeting to order.

ADDENDUM

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Addendum dated November 28, 2011 was added to the agenda under Closed Meeting as follows:

Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. New Blacksburg High School Property

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Gary D. Creed
Mary W. Biggs		John A. Muffo
Doug Marrs		James D. Politis
William H. Brown		

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Project # 2011-031
2. New Blacksburg High School Property

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Gary D. Creed
Mary W. Biggs		John A. Muffo
Doug Marrs		James D. Politis
William H. Brown		

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Gary D. Creed
Doug Marrs		John A. Muffo
Annette S. Perkins		James D. Politis
William H. Brown		

CERTIFICATION OF CLOSED MEETING

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Doug Marrs
Annette S. Perkins
Mary W. Biggs
William H. Brown

NAYS

None

ABSENT DURING VOTE

Gary D. Creed
John A. Muffo
James D. Politis

ABSENT DURING MEETING

Gary D. Creed
John A. Muffo
James D. Politis

INVOCATION

A moment of silence was led by the Vice-Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

INTO WORK SESSION

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. **American Electric Power**

American Electric Power – Falling Branch-Merrimac 138 kV Transmission Line

2. **2011 General Obligation School Bond Sale**

Courtney Rogers, Financial Advisor, updated the Board of Supervisors on the recent bond sale of \$98 million for school capital projects.

The vote on the foregoing motion was as follows:

AYE

Annette S. Perkins

Mary W. Biggs

Doug Marrs

William H. Brown

NAY

None

ABSENT

Gary D. Creed

John A. Muffo

James D. Politis

American Electric Power – Falling Branch-Merrimac 138 kV Transmission Line

Todd Burns, American Electric Power, updated the Board on AEP's Falling Branch-Merrimac 138 kV transmission line. Appalachian Power plans to construct approximately eight miles of 138-kilovolt (kV) transmission line to protect the electric service in the area of Montgomery County, Town of Blacksburg and the Town of Christiansburg. The project will connect to the existing Merrimac and Falling Branch substations. The project is needed to meet growing electrical demands and to prevent overloading facilities that serve thousands of customers.

Electric service in the area is primarily supplied by a single radial 138 kilovolt (kV) line and multiple 69 kV lines. Peak electric demand in the area has increased from 207 megawatts (MW) in 2003 to 250 MW in 2008 and is expected to continue to grow steadily. The addition of a new power line that ties together existing electric substations and establishes a looped 138 kV system, helps prevent overloads and reduces the likelihood of interrupting electric service to the region. With a looped system in place, the outages can be isolated when they occur and alternate paths will keep customers' electric service intact.

Mr. Burns stated they will submit their application to the Virginia State Corporation Commission (SCC) in January 2012. AEP has held several community meetings and has met with landowners who are affected by the proposed transmission line. Mr. Burns requested that if the Board of Supervisors have any additional comments regarding the project to submit them by the end of the week.

Rita Hughs asked to make comments regarding the project. Ms. Hughs stated that she would like to be able to make comments to APCO when the final route is determined. She stated that APCO has been very cooperative so far when asking questions about the project.

William Price stated that it is his understanding that APCO's preferred route for the transmission line will run across his property located in the Town of Christiansburg, parallel to the Huckleberry Trail, to the rear of Corning Glass and at the end of Virginia Avenue. The transmission line as proposed will be very damaging for favorable development as it appears to consume a very large portion of his 41.6 acres. Mr. Price requested support from the Board of Supervisors in asking APCO to located the power line to the West side of the Huckleberry Trail versus the East side. The land to the West side of the Huckleberry Trail is considerably less desirable for development and consists of sewer easements which the power line can follow. Mr. Price believes this adjustment in the preferred route from the West side to the East side would save APCO considerable dollars and better serve Montgomery County by preserving the property that is more suitable for residential development.

2011 General Obligation School Bond Sale

Courtney Rogers with Davenport and Company, the County's Financial Advisor, presented an update on the sale of the 2011 General Obligation School Bond.

In August 2010, Davenport made a presentation to the Board of Supervisors regarding a potential \$124.5 million financing plan for school projects including the new Auburn High School, the old Auburn High School renovated into Auburn Middle School and a new Blacksburg High School. Estimated equivalent impact on the real estate tax rate was between 13.0¢ and 14.5¢ based upon a 20 year repayment and did not include the 0%, \$15 million Qualified School Construction Bond for the projects. In May 2011, Davenport presented to the Board an updated plan. \$15 million of QSCB awarded by the Governor was incorporated and the principal was structured around existing debt service to create a uniform payment schedule. Capital reserve funds were projected to be used to mitigate spikes in the tax rate. Due to these changes the estimated real estate tax rate increase was lowered to 10¢.

In July 2011, Davenport presented an update to the Board. The interest rate on the general obligation bonds was estimate 4.05% and the size of the borrowing increased by \$1.7 million due to some of the proceeds of the 2008 issue being used for other school issues. The estimated real estate tax rate increase remained at 10¢.

The objective of the Board of Supervisors in deciding to issue bonds for the school construction projects were that there would be no harm to the County's Bond Ratings and no increase in the real estate tax rate in the FY 2012 Budget. The bond agencies, both Moody's and Standard and Poor's, affirmed the County's Bond Ratings at Aa2 and AA respectively. There will be no debt service payment from this issue until July 15, 2012 (FY 2013).

Bonds were sold competitively on Wednesday, November 16, 2011 with the Virginia Public School Authority as the conduit issuer using the County's General Obligation Bond Ratings of Aa2/AA as a stand-alone bond issue. By issuing the bonds through VPSA as a stand-alone bond

issue, the County has the ability to refinance the bonds maturing in year 11 and beyond, starting in year 10, without penalty. As these bonds carry 5% coupons, as bid by J.P. Morgan, it is likely that sometime in the future these bonds will be refinanced for savings. The bond transaction closes on December 6, 2011. QSCB sale is Wednesday, November 30, 2011. The QSCB sale is expected to result in a net 0% interest rate.

The Board thanked Mr. Courtney for his update.

OUT OF WORK SESSION

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Gary D. Creed
Doug Marrs		John A. Muffo
Annette S. Perkins		James D. Politis
William H. Brown		

PUBLIC HEARING

Agricultural and Forestal District - #2 Renewal - **AFD District #2 (Catawba)** is located approximately 0.75 miles to the northeast from the intersection of Harding Rd. (SR 785) and Lusters Gate (SR 729) and extends along Catawba Rd. (SR 765) for approximately 6.6 miles to the Roanoke County line. AFD 2 currently consists of 30 property owners and 6,341 acres.

Steve Sandy, Planning Director, stated a public hearing was held on this AFD on October 24, 2012. Since the public hearing, a property owner decided to renew his participation, rather than withdraw his property from the AFD; therefore, a new public hearing is required.

Mr. Sandy reported that AFD's are rural areas reserved for the production of agricultural products and timber as important economic and environmental resources. They are established according to the state guidelines at the initiative of individual landowners and approval of the Board of Supervisors. Participating landowners relinquish some development rights for a period of eight years in return for increased protection.

At their November 9, 2011 meeting, the Planning Commission recommended approval of the proposed renewal and additions to the AFD District #2 with the same terms as the previous eight years.

There being no speakers the public hearing was closed.

PUBLIC ADDRESS

Ronnie Coake a resident from Pulaski County, asked to speak regarding the hidden dangers behind American Electric Power working within an easement on a property owners land. Mr. Coake explained how AEP cleared land within an easement on his property and how they cut down a large number of trees on his land and the problems he encountered with AEP during the process. He issued a warning to property owners when dealing with AEP.

There being no further speakers, the public address session was closed.

CONSENT AGENDA

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated November 28, 2011 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	Gary D. Creed
Annette S. Perkins		John A. Muffo
Mary W. Biggs		James D. Politis
William H. Brown		

Approval of Minutes

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously, the minutes dated June 27, 2011 were approved.

Appropriations

A-FY-12-43 HUCKLEBERRY TRAIL EXTENSION GRANT

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012 for the function and in the amount as follows:

930	Huckleberry Trail Extension Grant	\$578,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
424401 Huckleberry Trail Extension Grant	\$578,000

Said resolution appropriates the Huckleberry Trail Extension Grant.

R-FY-12-54
**A RESOLUTION APPROVING THE DECLARATION OF COVENANTS FOR
THE MAINTENANCE OF CERTAIN DRAINAGE FACILITIES AND
THE CONVEYANCE OF CERTAIN UTILITY, AND
PUBLIC ACCESS SITE DEVELOPMENT EASEMENTS TO
THE TOWN OF BLACKSBURG THAT ARE ASSOCIATED
WITH THE DEVELOPMENT OF THE NEW BLACKSBURG HIGH SCHOOL**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Montgomery County School Board (“the School Board”) is currently developing a new Blacksburg High School on property owned by the County of Montgomery, Virginia (“the County”) adjacent to Prices Fork Road and Merrimac Road in the Town of Blacksburg, Virginia; and

WHEREAS, As a condition to develop the new Blacksburg High School, the County needs to dedicate and convey to the Town of Blacksburg the following site development easements:

- (1) A Fifteen (15) Foot Water Line Easement as shown more particularly on the plat entitled “Plat Showing New 15’ Water Line Easements Across A Portion Of Tax Parcel 283-(1)-6 Prepared For Montgomery County Public Schools”, dated 10/24/11 (“the 15 Foot Water Line Easement”);
- (2) A Fifteen (15) Foot Sanitary Sewer Easement as shown more particularly on the plat entitled “Plat Showing New 15’ Sanitary Sewer Easement across a portion of Tax Parcel 283-(1)-6 Prepared For Montgomery County Public Schools”, dated 10/24/11, (“the 15 Foot Sanitary Sewer Easement”);
- (3) A Twenty (20) Foot Public Access Easement as shown more particularly on the plat entitled “Plat Showing 20’ Public Access Easements Across a Portion of Tax Parcels 283-(1)-6, 283-(1)-4A & 283-(A)-11 Prepared For Montgomery County Public Schools”, dated 11/17/11 (“the 20 Foot Public Access Easement”).

WHEREAS, As a further condition to develop the new Blacksburg High School, the County is required to sign and record a Declaration of Covenants agreeing to provide maintenance for the drainage system serving the new Blacksburg High School Property, and

WHEREAS, The Board of Supervisors is in agreement to convey to the Town of Blacksburg the necessary water, sanitary sewer, and public access site development easements required for the School Board to develop the new Blacksburg High School property and to sign and record a Declaration of Covenants agreeing to maintain the drainage system serving the new Blacksburg High School property.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to dedicate and convey to the Town of Blacksburg the following site development easements required to serve the new Blacksburg High School: (1) the 15 Foot Water Line Easement; (2) the 15 Foot Sanitary Sewer Easement; (3) the 20 Foot Public Access Easement and further agrees to execute and record a Declaration of Covenants agreeing to maintain the drainage system that serves the new Blacksburg High School Development.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes James D. Politis, Chair, to execute and sign on behalf of the County of Montgomery the required Plats and Deeds of Easements to dedicate and convey to the Town the required water line, sanitary sewer and public access site development easements and further authorizes F. Craig Meadows, County Administrator, to execute and record on behalf of the County the Declaration of Covenants agreeing to maintain the drainage facilities serving the new Blacksburg High School development.

R-FY-12-55
APPOINTMENT
MONTGOMERY REGIONAL ECONOMIC
DEVELOPMENT COMMISSION

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Angie Covey** as the New River Community College representative on the **Montgomery Regional Economic Development Commission** effective January 1, 2012 and expiring December 31, 2014.

R-FY-12-56
APPOINTMENT
PEPPER'S FERRY REGIONAL
WASTEWATER TREATMENT AUTHORITY

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Annette S. Perkins** to the **Pepper's Ferry Regional Wastewater Treatment Authority** effective January 1, 2012 and expiring December 31, 2015.

BE IT FURTHER RESOLVED, The Board of Supervisors reappoints **Robert Fronk** as alternate to the **Pepper's Ferry Regional Wastewater Treatment Authority** effective January 1, 2012 and expiring December 31, 2015.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

**R-FY-12-57
APPOINTMENT
SOCIAL SERVICES BOARD**

On a motion by Doug Marrs, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Annette S. Perkins** to the **Social Services Board** effective January 1, 2012 and expiring December 31, 2015.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

OLD BUSINESS

**ORD-FY-12-10
AN ORDINANCE AMENDING CHAPTER 2, DIVISION 5, SECTION 2-107
OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA
ENTITLED TAX EXEMPTION AND DEFERRALS FOR ELDERLY AND
HANDICAPPED BY INCREASING THE NET COMBINED FINANCIAL WORTH AND
THE INCOME LIMITS TO BE ELIGIBLE FOR RELIEF**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 2, Division 5, Section 2-107 of the Code of the County of Montgomery, Virginia entitled Tax Exemption and Deferrals for Elderly and Handicapped shall be amended and reordained as follows:

Sec. 2-107. Established; restrictions and conditions.

(a) The board of supervisors of the county hereby provides for the exemption from or deferral of taxation of real estate, and manufactured homes as defined in Code of Virginia, § 36-85.3, or any portion thereof, owned by and occupied as the sole dwelling of a person not less

than sixty-five (65) years of age, and providing the same exemption for such property of a person who is determined to be permanently and totally disabled as provided in subsection (e) of this section, subject to the following restrictions and conditions:

- (1) That the total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein and of the owners' relatives living in the dwelling does not exceed ~~forty-five thousand dollars (\$45,000)~~ **fifty thousand dollars (\$50,000)** provided that the first ten thousand dollars (\$10,000.00) of income of each relative other than the spouse of the owner who is living in the dwelling and the first ten thousand dollars (\$10,000.00) of income for an owner who is permanently disabled shall not be included in such total.
- (2) That the net combined financial worth, including the present value of all equitable interests, as of December thirty-first of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and furnishings in the dwelling including furniture, household appliances and other items typically used in a home and the land, not exceeding one (1) acre, upon which it is situated does not exceed one hundred ~~twenty-five~~ **fifty** thousand dollars (~~\$125,000~~ **\$150,000**).
- (3) That the person or persons claiming such exemption files annually no later than the first day of March of the taxable year with the commissioner of the revenue of the county, on forms to be supplied by the county, an affidavit or written statement setting forth the names of the related persons occupying such real estate; that the total combined net worth, including equitable interests, and the combined income from all sources of the person as specified in paragraph (1) of this subsection does not exceed the limits prescribed in this section. If such person is under sixty-five (65) years of age, such form shall have attached thereto a certification by the Social Security Administration, the Department of Veterans Affairs, or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies, a sworn affidavit by two (2) medical doctors who are either licensed to practice medicine in the Commonwealth or who are military officers on active duty who practice medicine with the United States Armed Forces, to the effect that such person is permanently and totally disabled as defined in subsection (e); however, a certification pursuant to 42 U.S.C. § 4-23(d) by the Social Security Administration so long as the person remains eligible for such Social Security benefits shall be deemed to satisfy such definition in subsection (e). The affidavit of at least one (1) of the doctors shall be based upon a physical examination of the person by such doctor. The affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability as defined in subsection (e). Such certification, written statement, or affidavit shall be filed after the first day of January of each year, but before the first day of April of each year, for the permanently and totally disabled, for hardship cases, and for the first time applicants. The commissioner

of the revenue has the discretion to accept late filings of first time applicants or for hardship cases until the thirty-first day of December of the taxable year. The commissioner of the revenue of the county shall make any other reasonably necessary inquiry of persons seeking such exemption, requiring answers under oath to determine qualifications as specified in this section, including qualifications as permanently and totally disabled as defined in subsection (e) and qualification for the exclusion of life insurance benefits paid upon the death of an owner of a dwelling. The commissioner of the revenue of the county is hereby empowered, in addition to require the production of certified tax returns to establish the income or financial worth of any applicant for tax relief or deferral.

(b) Such exemptions may be granted for any year following the date that the qualifying individual occupying such dwelling and owning title, or partial title, thereto reaches the age of sixty-five (65) years or for any year following the date the disability occurred. Changes in respect to income, financial worth, ownership of property or other factors occurring during the taxable year for which the affidavit is filed, and having the effect of exceeding or violating the limitations and conditions provided in this section shall nullify any exemption or deferral for the remainder of the current taxable year and the taxable year immediately following. The amount of exemption of the real estate tax for qualified persons shall be determined by the following table:

<i>Annual Income (Calendar Year)</i>	<i>For Qualified Persons the Percentage of Tax Which May Be Exempted</i>
\$0-- \$28,800 <u>\$32,000</u>	100%
\$28,801--\$36,000 <u>\$32,001-\$40,000</u>	60%
\$36,001--\$45,000 <u>\$40,001-\$50,000</u>	40%

(c) The person or persons qualifying for and claiming deferral shall be relieved of real estate tax liability levied on the qualifying dwelling and land up to an amount equal to one hundred (100) percent of this liability, the amount to be deferred to be elected by the claimant. If a deferral of real estate taxes, the accumulated amount of taxes deferred shall be paid without penalty or interest to the county by the vendor upon the sale of the dwelling, or from the estate of the decedent within one (1) year after the death of the last owner thereof who qualified for tax deferral by the provisions of this section. Such deferred real estate taxes shall constitute a lien upon such real estate as if they had been assessed without regard to the deferral permitted by this section. Any such lien shall, to the extent that it exceeds in the aggregate ten (10) percent of the price for which such real estate may be sold, be inferior to all other liens of record.

(d) The board of supervisors of the county hereby deems those persons falling within the limits and conditions provided in subsections (a) and (b) of this section to bearing an extraordinary tax burden on the real estate described in this section in relation to their income and financial worth.

(e) For the purposes of this division, a person is permanently and totally disabled if he or she is so certified as required in paragraph (a)(3) of this section and is found by the

commissioner of the revenue of the county under paragraph (a)(3) to be unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

This change in income limits shall be effective for the ~~2011~~ 2012 tax year and beyond unless amended.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Gary D. Creed
Mary W. Biggs		John A. Muffo
Doug Marrs		James D. Politis
William H. Brown		

NEW BUSINESS

R-FY-12-58 RESOLUTION APPROVING GOVERNOR'S DEVELOPMENT OPPORTUNITY FUND PERFORMANCE AGREEMENT FOR BACKCOUNTRY.COM PROJECT

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, The County of Montgomery has been awarded a \$300,000 Governor's Development Opportunity Fund Grant ("the GOF Grant") through the Virginia Economic Development Partnership Authority to be used to induce BackCountry.com to construct a facility in Montgomery County, Virginia; and

WHEREAS, The County of Montgomery, Virginia ("the County") will forward the GOF Grant to the Economic Development Authority of Montgomery County, Virginia ("the Authority") who in turn will provide the funds to BackCountry.com; and

WHEREAS, The Commonwealth of Virginia, requires the County, the Authority and BackCountry.com to enter into a Performance Agreement to set forth the terms and conditions of receiving the GOF Grant; and

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia hereby desires to enter into the Governor's Development Opportunity Fund Performance Agreement with the Authority and BackCountry.com dated November 15, 2011, in order to accept the GOF Grant on behalf of the Authority and BackCountry.com.

NOW, THEREFORE, BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves the Governor's Development Opportunity Fund Performance Agreement by and between the County, the Authority and BackCountry.com dated November 15, 2011; and

BE IT FURTHER RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes F. Craig Meadows, County Administrator to execute the Governor's Development Opportunity Fund Performance Agreement on behalf of the County of Montgomery.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Gary D. Creed
Doug Marrs		John A. Muffo
Annette S. Perkins		James D. Politis
William H. Brown		

Supervisor Biggs commented that it is important for citizens to understand that the reason Montgomery County enters into a performance agreement with a company is to outline what Montgomery County and the business obligations are in the agreement. She stated that during her campaign season she received questions on how the County goes about attracting business to the area and what is offered to them.

R-FY-12-59
RESOLUTION OF APPRECIATION
DOUG MARRS

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, DOUG MARRS has served the citizens of Montgomery County as the representative of District B with dedication and integrity since January 1, 2004 with his first term on the Board of Supervisors, and from January 1, 1996 to December 31, 2003 as Sheriff of Montgomery County; and

WHEREAS, Doug Marrs served as the Vice Chair of the Board of Supervisors in 2008; and

WHEREAS, From 2004 to 2011 Doug Marrs has served on the Public Service Authority, the Roads Committee, and the Road Viewers Board; and

WHEREAS, Doug Marrs has been an active participant in the Virginia Association of Counties (VACo) and served on VACo's Finance and Transportation Steering Committees; and

WHEREAS, Doug Marrs has represented Montgomery County on various boards and commissions including the Metropolitan Planning Organization (MPO), Liaison to the Chamber of Commerce, and Liaison to the Human Services Commission's Executive Committee; and

WHEREAS, Doug Marrs served on the Fairview District Home Board from 2004 to 2011; and

WHEREAS, Doug Marrs worked tirelessly with Roanoke County, Franklin County, and the City of Salem to create the Western Virginia Regional Jail Authority and construct a facility to expand existing capacity for inmate housing for the four jurisdictions, and also served on the Human Resources Committee; and

WHEREAS, Doug Marrs' tenure on the Board of Supervisors included the undertaking of numerous capital projects including: a new courthouse, a public safety building, an Eastern Montgomery public safety building, a new Prices Fork Elementary School, Eastern Montgomery Elementary School, Blacksburg High School, Auburn High School and Auburn Middle School.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that the Board of Supervisors, on behalf of the entire citizenship, hereby extends a unanimous vote of appreciation and gratitude to **Doug Marrs** for his accomplishments and outstanding public service and dedication to the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **Doug Marrs** as a testimonial of the high esteem and appreciation in which he is regarded by the Board of Supervisors and that a copy be a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Gary D. Creed
Mary W. Biggs		John A. Muffo
Doug Marrs		James D. Politis
William H. Brown		

R-FY-12-60
RESOLUTION OF APPRECIATION
JOHN A. MUFFO

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, John A. Muffo has served the citizens of Montgomery County as the representative of District G with dedication and integrity for 12 years, beginning his first term on the Board of Supervisors on January 1, 2000; and

WHEREAS, From 2000 through 2011 John A. Muffo has served on the Public Service Authority, the Road Viewers Board and has represented Montgomery County on various boards and commissions including the Metropolitan Planning Organization (MPO), and as Liaison to the Planning Commission; and

WHEREAS, John A. Muffo served on the Community Services Board from 2003 to 2011, and served as a member of the Social Services Board of Directors from 2007 to 2011; and

WHEREAS, John A. Muffo has been an active participant in the Virginia Association of Counties (VACo) and served on VACo's Community Development and Planning Steering Committee; and

WHEREAS, John A. Muffo's tenure on the Board of Supervisors included the undertaking of numerous capital projects including: a new government center, a new courthouse, a public safety building, an Eastern Montgomery public safety building, a new Blacksburg Middle School, Christiansburg Middle School, Prices Fork Elementary School, Eastern Montgomery Elementary School, Blacksburg High School, Auburn High School, and Auburn Middle School; and

WHEREAS, John A. Muffo supported conservation and recreation programs within the County, serving on the Parks and Recreation Commission prior to serving on the Board of Supervisors, and representing the Board as an alternate on the Resource Conservation and Development Council; and

WHEREAS, John A. Muffo actively supported the creation of the Huckleberry Trail, a walkway/bikeway following an abandoned railroad track connecting the County and the Towns of Blacksburg and Christiansburg, and recently served on the Ellett Valley Loop Trail Committee; and

WHEREAS, As a member of the Montgomery County Improvement Council, John A. Muffo participated in coordinating the County's annual Broomin' n Bloomin' clean-up day held in the Spring by soliciting the help of private and public organizations and hundreds of volunteers to participate in cleaning up miles of roadside, streams, parks and illegal dump sites, which contributed to the beautification of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that the Board of Supervisors, on behalf of the entire citizenship, hereby extends a unanimous vote of appreciation and gratitude to ***John A. Muffo*** for his accomplishments and outstanding public service and dedication to the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to ***John A. Muffo*** as a testimonial of the high esteem and appreciation in which he is regarded by the Board of Supervisors and that a copy be a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	Gary D. Creed
Mary W. Biggs		John A. Muffo
Annette S. Perkins		James D. Politis
William H. Brown		

BOARD OF SUPERVISORS' REPORTS

Supervisor Biggs asked the County Attorney to explain the redistricting problems the County encountered during the election for the Delegate and Senate seats in Montgomery County.

The County Attorney explained that the County and the State both had to review the election districts due to the 2010 US Census. The County could not wait for the State redistricting decision in order to meet the deadline to notify citizens of their new voting precinct for Montgomery County's election. The Commonwealth of Virginia decided to split the Senate districts into three different districts from the previous two. This created confusion among some citizens who did not realize they were moved to a different senate district and created split precincts.

He stated that staff is reviewing the changes to see if the County's voting precincts can be changed or merged to eliminate any split precincts. The County may be able to eliminate some, but not all. He reported that recommendations on changes to the voting precincts should be available by Spring 2012. A public hearing will be scheduled and the Board of Supervisors changes will be forwarded to the State Board of Elections for their approval.

ADJOURNMENT

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously, the Board adjourned to Thursday, December 8, 2011 at 6:00 p.m. for a special meeting.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Gary D. Creed
Annette S. Perkins		John A. Muffo
Doug Marrs		James D. Politis
William H. Brown		

The meeting adjourned at 8:30 p.m.

APPROVED: _____	ATTEST: _____
James D. Politis	F. Craig Meadows
Chair	County Administrator